

12-18-01

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PTO/SB/05 (08-00) (modified)

Approved for use through 9/30/2001, OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

 12/14/01  
 1041 U.S. PTO

# NEW UTILITY PATENT APPLICATION TRANSMITTAL

 (only for new nonprovisional applications under  
37 CFR 1.53(b))

Attorney Docket Number

21153-05930

First Named Inventor

Jeffrey D. Walker

Title

Optical receiver including a linear  
semiconductor optical amplifier

Express Mail Label No.

EL566109109US

 12/14/01  
 1041 U.S. PTO  
 10/01/2001

## APPLICATION ELEMENTS

1. ☒ Fee Transmittal Form (in duplicate)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27
3. ☒ Specification Total Pages 29  
(preferred arrangement set forth below)
  - Descriptive Title of the Invention
  - Cross Reference(s) to Related Case(s)
  - Statement Regarding Fed sponsored R & D
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawing(s)
  - Detailed Description
  - Claim or Claims
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. Total Sheets 9  
113)
5. Oath or Declaration
  - a. ☐ New Declaration Total Pages     
☐ Executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
    - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

## ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & document(s))
8. ☐ Certified Copy of Priority Document(s) (if foreign priority  
is claimed)
9. ☐ Power of Attorney or Authorization of Agent
10. ☐ 37 CFR 3.73(b) Statement
11. ☐ Preliminary Amendment
12. ☐ Information Disclosure Statement & PTO-1449  
☐ Copies of IDS Citation(s)
13. ☒ Request and Certification under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form  
PTO/SB/35 or its equivalent
14. ☒ Return Postcard
15. ☐ \_\_\_\_\_
16. ☐ \_\_\_\_\_
17. ☐ \_\_\_\_\_

## ADDRESS TO:

 Box Patent Application  
 Commissioner for Patents  
 Washington, D.C. 20231

 18. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment or in an  
Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No. xx/xxx,xxx Filed: 12/11/2001

 Prior application information: Examiner: Unassigned Group/Art Unit: Unassigned Inventors: Jeffrey D. Walker et al.
**For CONTINUATION OR DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under  
Box 5b, is considered a part of the disclosure of the accompanying continuing or divisional application and is hereby incorporated by reference. The  
incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS


 Customer Number and Bar Code  
 Label


00758

Name (Print/Type)	Michael W. Farn	Registration No. (Attorney/Agent)	41,015
Signature	<i>Michael W. Farn</i>	Date	December 14, 2001

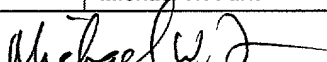
21153/05930/SF/5064424.1

0002/PTO(modified) Rev. 10/2001	U.S. Department of Commerce Patent and Trademark Office	<b>Complete if Known</b>	
<b>FEE TRANSMITTAL</b>  <b>TOTAL AMOUNT OF PAYMENT</b>  Subtotal (1) + Subtotal (2) + Subtotal (3) = <b>(\$451)</b>		Application Number	Unassigned
		Filing Date	December 14, 2001
		First Named Inventor	Jeffrey D. Walker
		Group Art Unit	Unassigned
		Examiner Name	Unassigned
		Attorney Docket Number	21153-05930

METHOD OF PAYMENT	FEE CALCULATION (continued)																																																																																																
<b>1. The Commissioner is hereby authorized to:</b>  <input type="checkbox"/> Charge the indicated fees to the below mentioned deposit account.  <input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account. †  <input checked="" type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27  Deposit Account Number: 19-2555 Deposit Account Name: FENWICK & WEST LLP  Duplicate Copy of this authorization is attached  <input checked="" type="checkbox"/> <b>Payment Enclosed:</b> <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Other	<b>3. ADDITIONAL FEES</b> <table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Large Entity Fee Code/Fee</th> <th style="text-align: left;">Small Entity Fee Code/Fee</th> <th style="text-align: left;">Fee Description</th> <th style="text-align: right;">Fee Due</th> </tr> </thead> <tbody> <tr><td>105/\$130</td><td>205/\$65</td><td>Surcharge - late filing fee or oath</td><td style="text-align: right;">[ ]</td></tr> <tr><td>127/\$50</td><td>227/\$25</td><td>Surcharge-late provisional filing fee or cover sheet</td><td style="text-align: right;">[ ]</td></tr> <tr><td>147/\$2,520</td><td>147/\$2,520</td><td>For filing a request for reexamination</td><td style="text-align: right;">[ ]</td></tr> <tr><td>115/\$110</td><td>215/\$55</td><td>Extension for response within first month†</td><td style="text-align: right;">[ ]</td></tr> <tr><td>116/\$400</td><td>216/\$200</td><td>Extension for response within second month†</td><td style="text-align: right;">[ ]</td></tr> <tr><td>117/\$920</td><td>217/\$460</td><td>Extension for response within third month†</td><td style="text-align: right;">[ ]</td></tr> <tr><td>118/\$1,440</td><td>218/\$720</td><td>Extension for response within fourth month†</td><td style="text-align: right;">[ ]</td></tr> <tr><td>128/\$1,960</td><td>228/\$980</td><td>Extension for response within fifth month†</td><td style="text-align: right;">[ ]</td></tr> <tr><td>119/\$320</td><td>219/\$160</td><td>Notice of Appeal</td><td style="text-align: right;">[ ]</td></tr> <tr><td>141/\$1,280</td><td>241/\$640</td><td>Petition to revive unintentionally abandoned application</td><td style="text-align: right;">[ ]</td></tr> <tr><td>142/\$1,280</td><td>242/\$640</td><td>Utility Issue Fee (Or Reissue)</td><td style="text-align: right;">[ ]</td></tr> <tr><td>143/\$460</td><td>243/\$230</td><td>Design Issue Fee</td><td style="text-align: right;">[ ]</td></tr> <tr><td>122/\$130</td><td>122/\$130</td><td>Petitions to the Commissioner</td><td style="text-align: right;">[ ]</td></tr> <tr><td>126/\$180</td><td>126/\$180</td><td>Submission of Information Disclosure Statement</td><td style="text-align: right;">[ ]</td></tr> <tr><td>179/\$740</td><td>279/\$370</td><td>Request for Continued Examination (RCE)</td><td style="text-align: right;">[ ]</td></tr> <tr><td>581/\$40</td><td>581/\$40</td><td>Recording each patent assignment per property (times number of properties)</td><td style="text-align: right;">[ ]</td></tr> <tr><td>146/\$740</td><td>246/\$370</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td style="text-align: right;">[ ]</td></tr> <tr><td>149/\$740</td><td>249/\$370</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td style="text-align: right;">[ ]</td></tr> <tr><td colspan="3">Other fee (specify):</td><td style="text-align: right;">[ ]</td></tr> <tr><td colspan="3">Other fee (specify):</td><td style="text-align: right;">[ ]</td></tr> <tr> <td colspan="3" style="text-align: right;"><b>SUBTOTAL (3)</b></td> <td style="text-align: right;"><b>(\$)-0-</b></td> </tr> </tbody> </table>	Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due	105/\$130	205/\$65	Surcharge - late filing fee or oath	[ ]	127/\$50	227/\$25	Surcharge-late provisional filing fee or cover sheet	[ ]	147/\$2,520	147/\$2,520	For filing a request for reexamination	[ ]	115/\$110	215/\$55	Extension for response within first month†	[ ]	116/\$400	216/\$200	Extension for response within second month†	[ ]	117/\$920	217/\$460	Extension for response within third month†	[ ]	118/\$1,440	218/\$720	Extension for response within fourth month†	[ ]	128/\$1,960	228/\$980	Extension for response within fifth month†	[ ]	119/\$320	219/\$160	Notice of Appeal	[ ]	141/\$1,280	241/\$640	Petition to revive unintentionally abandoned application	[ ]	142/\$1,280	242/\$640	Utility Issue Fee (Or Reissue)	[ ]	143/\$460	243/\$230	Design Issue Fee	[ ]	122/\$130	122/\$130	Petitions to the Commissioner	[ ]	126/\$180	126/\$180	Submission of Information Disclosure Statement	[ ]	179/\$740	279/\$370	Request for Continued Examination (RCE)	[ ]	581/\$40	581/\$40	Recording each patent assignment per property (times number of properties)	[ ]	146/\$740	246/\$370	Filing a submission after final rejection (37 CFR 1.129(a))	[ ]	149/\$740	249/\$370	For each additional invention to be examined (37 CFR 1.129(b))	[ ]	Other fee (specify):			[ ]	Other fee (specify):			[ ]	<b>SUBTOTAL (3)</b>			<b>(\$)-0-</b>								
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\* Subtract the greater number of Col. 2

\*\* If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3

<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Typed or Printed Name	Michael W. Farn	Reg Number	41,015
Signature		Date	December 14, 2001

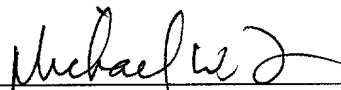
21153/05930/SF/5064478.1

<b>REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>		First Named Inventor	Jeffrey D. Walker
		Title	Optical receiver including a linear semiconductor optical amplifier
		Atty Docket Number	21153-05930

I hereby certify that the invention disclosed in the attached application **has not been and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

December 14, 2001

Date



Signature

Michael W. Farn, Reg. No. 41,015

Typed or printed name/Registration Number

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

21153/05930/SF/5064477.1

FORM 3001-3001